

United States District Court

for the

Eastern District of Washington

SEP 24 2018
SEAN F. MCAVOY, CLERK
_____, DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Austin K. Mesplie

Case Number: 0980 2:09CR02050-LRS-1

Address of Offender: [REDACTED] Wapato, WA 98951

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: March 4, 2010

Original Offense: Crime on Indian Reservation, Assault With Intent to Commit Murder,
18 U.S.C. §§ 1153 and 113(a)(1)Original Sentence: Prison - 74 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: Ben Seal Date Supervision Commenced: May 5, 2016

Defense Attorney: Alex B. Hernandez, III. Date Supervision Expires: January 4, 2019

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Special Condition #19:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six test per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Mesplie is alleged to have violated special condition #19 by consuming alcohol on or about August 24, 2018.

Mr. Mesplie's conditions were reviewed with him on May 5, 2016. He signed and acknowledged his conditions, which include the special condition as noted above.

On August 31, 2018, Mr. Mesplie reported to the probation office and admitted to consuming alcohol on August 24 through 28, 2018. Mr. Mesplie signed a drug use admission report, acknowledging he consumed alcohol.

2 **Special Condition #18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, bu no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: Mr. Mesplie is alleged to have violated special condition #18, by consuming cocaine and methamphetamine on or about August 24, 2018.

Mr. Mesplie's conditions were reviewed with him on May 5, 2016. He signed and acknowledged his conditions, which include the special condition as noted above.

On August 31, 2018, Mr. Mesplie reported to the probation office and admitted to consuming cocaine and methamphetamine on August 24 through 28, 2018. Mr. Mesplie signed a drug use admission report, acknowledging he consumed controlled substances.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear and to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 21, 2018

s/Phil Casey

Phil Casey
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other


Signature of Judicial Officer

9/24/18

Date